

109TH CONGRESS
1ST SESSION

S. 1399

To improve the results the executive branch achieves on behalf of the
American people.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2005

Mr. THOMAS introduced the following bill; which was read twice and referred
to the Committee on Homeland Security and Governmental Affairs

A BILL

To improve the results the executive branch achieves on
behalf of the American people.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “The Government Reor-
5 ganization and Program Performance Improvement Act of
6 2005”.

7 **SEC. 2. PURPOSE.**

8 The purpose of this Act is to improve the perform-
9 ance of the executive branch of the Federal Government
10 by ascertaining whether programs work or not and ad-

1 dressing deficiencies in existing programs, eliminating du-
2 plication of effort, and abolishing agencies and programs
3 that do not work.

4 **SEC. 3. RESULTS COMMISSIONS.**

5 (a) ESTABLISHMENT OF COMMISSIONS.—

6 (1) PROPOSAL AND ENACTMENT.—The Presi-
7 dent may propose the establishment in the executive
8 branch of 1 or more commissions for the purpose of
9 improving the overall effectiveness, efficiency, or ac-
10 countability of executive branch operations through
11 reorganization. Each such commission shall be
12 known as a Results Commission and shall require an
13 Act of Congress to be established.

14 (2) REASONS FOR ESTABLISHING RESULTS
15 COMMISSIONS.—In each proposal to establish a Re-
16 sults Commission, the President shall describe the
17 agencies or programs that the Results Commission
18 would study. In making such proposals, the Presi-
19 dent shall identify areas where multiple Federal pro-
20 grams have similar, related, or overlapping respon-
21 sibilities that are under the jurisdiction of multiple
22 executive branch agencies and committees of Con-
23 gress, and areas where reorganization may improve
24 the overall effectiveness, efficiency, or accountability
25 of executive branch operations.

1 (b) PROCEDURE FOR MAKING RECOMMENDATIONS
2 FOR IMPROVEMENTS IN EXECUTIVE BRANCH PERFORM-
3 ANCE.—

4 (1) SUBMISSION OF PROPOSALS.—The Presi-
5 dent may, from time to time in his discretion, sub-
6 mit to a Results Commission established under sec-
7 tion 3 one or more specific proposals to improve the
8 performance of the executive branch by reorganizing
9 agencies or programs in the areas that a Results
10 Commission has been authorized to study.

11 (2) EVALUATION.—After receiving a specific
12 proposal from the President under subsection (b)(1),
13 a Results Commission shall evaluate the proposal
14 and shall provide a response to the President on the
15 proposal, including any changes that the Commis-
16 sion may wish to recommend. The Commission may
17 recommend changes or additions to the proposal
18 only if the Commission believes that such changes
19 are necessary to better accomplish the stated pur-
20 pose of the President's reorganization proposal.

21 (3) EXPLANATION OF RECOMMENDATIONS.—
22 The Results Commission shall explain and justify
23 any recommended changes or additions made by the
24 Commission to the President's proposal under para-
25 graph (2).

1 (4) DISAPPROVAL.—If the President dis-
 2 approves the recommendations of the Results Com-
 3 mission, in whole or in part, the President may
 4 transmit to the Results Commission the reasons for
 5 that disapproval. The Commission shall then trans-
 6 mit to the President a report responding to the
 7 President’s concerns and any changes in its rec-
 8 ommendations.

9 (5) TRANSMISSION TO CONGRESS.—If the
 10 President chooses, the President shall transmit to
 11 Congress a copy of all of the final recommendations
 12 of each Results Commission, together with legisla-
 13 tion to accomplish those recommendations.

14 (c) MEMBERSHIP, POWERS, AND OTHER MAT-
 15 TERS.—

16 (1) IN GENERAL.—Each Results Commission
 17 shall be composed of 7 members, who shall be ap-
 18 pointed within 60 days after the date of enactment
 19 of the Act authorizing the Commission.

20 (2) APPOINTMENTS.—

21 (A) IN GENERAL.—The President shall ap-
 22 point the 7 members, who shall serve at the
 23 pleasure of the President, as follows:

24 (i) One in consultation with the Ma-
 25 jority Leader of the Senate.

1 (ii) One in consultation with the Mi-
 2 nority Leader of the Senate.

3 (iii) One in consultation with the
 4 Speaker of the House of Representatives.

5 (iv) One in consultation with the Mi-
 6 nority Leader of the House of Representa-
 7 tives.

8 (v) Three other members.

9 (B) VACANCIES.—Any vacancy on a Com-
 10 mission shall be filled in the manner in which
 11 the original appointment was made.

12 (3) CHAIR AND VICE CHAIR.—The President
 13 shall designate 1 member of each Results Commis-
 14 sion to serve as Chair and 1 member as Vice Chair.

15 (4) TERMINATION.—Each Results Commission
 16 shall terminate within 9 months after the date it
 17 commences operations, unless provided otherwise by
 18 law.

19 (5) DUTIES.—Each Results Commission is au-
 20 thorized to—

21 (A) evaluate the merits of a specific pro-
 22 posal by the President for governmental reorga-
 23 nization; and

24 (B) provide views to the President on the
 25 proposal, including any changes or additions to

1 the proposal that the Commission may wish to
2 recommend.

3 (6) POWERS.—

4 (A) OBTAINING INFORMATION FROM FED-
5 ERAL AGENCIES.—

6 (i) IN GENERAL.—Each Results Com-
7 mission may secure directly from any exec-
8 utive department, bureau, agency, board,
9 commission, office, independent establish-
10 ment, or instrumentality of the United
11 States Government, information, sugges-
12 tions, estimates, and statistics for the pur-
13 pose of this Act. Each department, bureau,
14 agency, board, commission, office, inde-
15 pendent establishment, or instrumentality
16 shall, to the extent authorized by law, fur-
17 nish such information, suggestions, esti-
18 mates, and statistics directly to the Com-
19 mission, upon request made by the Chair
20 or any other member designated by a ma-
21 jority of the Commission.

22 (ii) RECEIPT, HANDLING, STORAGE,
23 AND DISSEMINATION.—Information shall
24 only be received, handled, stored, and dis-
25 seminated by members of the Commission

1 and its staff consistent with all applicable
2 statutes, regulations, and Executive orders.

3 (B) CONTRACTING AUTHORITY.—Each Re-
4 sults Commission may contract with and com-
5 pensate government and private agencies or
6 persons for services without regard to section
7 3709 of the Revised Statutes (41 U.S.C. 5).

8 (7) PUBLIC HEARINGS AND MEETINGS.—

9 (A) PUBLIC HEARINGS.—Each Results
10 Commission shall hold public hearings and
11 meetings to the extent appropriate. Any such
12 public session shall be conducted in a manner
13 consistent with the protection of information
14 provided to or developed for or by the Commis-
15 sion as required by applicable law.

16 (B) NONAPPLICABILITY OF FEDERAL AD-
17 VISORY COMMITTEE ACT.—The Federal Advi-
18 sory Committee Act (5 U.S.C. App) shall not
19 apply to any Results Commission.

20 (8) INTERNAL PROCEDURES.—

21 (A) PROCEEDINGS.—Each Results Com-
22 mission shall commence operations within 6
23 months after the date of enactment of the Act
24 authorizing the Commission and shall meet pe-
25 riodically at the call of the Chair.

1 (B) QUORUM.—Four members of the Re-
2 sults Commission shall constitute a quorum but
3 a lesser number may hold hearings.

4 (9) PERSONNEL MATTERS.—

5 (A) TRAVEL EXPENSES.—The members of
6 the Commission shall be allowed travel ex-
7 penses, including per diem in lieu of subsist-
8 ence, at rates authorized for employees of agen-
9 cies under subchapter I of chapter 57 of title 5,
10 United States Code, while away from their
11 homes or regular places of business in the per-
12 formance of services for the Commission.

13 (B) DIRECTOR.—The Chair of the Com-
14 mission may, without regard to the civil service
15 laws and regulations, appoint and terminate a
16 Director for the Commission. The Director shall
17 be paid at a rate not to exceed the level II of
18 the Executive Schedule.

19 (C) STAFF.—The Director may appoint
20 and compensate staff for the Commission in ac-
21 cordance with section 3161 of title 5, United
22 States Code.

23 (D) APPLICABILITY OF CERTAIN CIVIL
24 SERVICE LAWS.—The Director and any staff of
25 the Commission shall be employees under sec-

tion 2105 of title 5, United States Code, for purposes including chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level II of the Executive Schedule under section 5316 of such title.

(10) OTHER ADMINISTRATIVE MATTERS.—

(A) POSTAL AND PRINTING SERVICES.—Each Results Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the United States.

(B) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of each Results Commission, the Administrator of General Services shall provide to the Results Commission, on a reimbursable basis, the administrative support

1 services necessary for the Results Commission
2 to carry out its duties under this Act.

3 (C) AUTHORIZATION OF APPROPRIA-
4 TIONS.—Such sums as may be necessary are
5 authorized to be appropriated for the purposes
6 of carrying out the duties of each Commission
7 under this Act. Such funds shall remain avail-
8 able until expended.

9 (d) EXPEDITED CONGRESSIONAL REVIEW PROCE-
10 DURES.—In reviewing proposals by the President to au-
11 thorize a Results Commission and in reviewing proposals
12 by the President to authorize implementation of a reorga-
13 nization proposal that has been recommended by a Results
14 Commission, Congress shall follow the expedited review
15 procedures under section 5.

16 **SEC. 4. SUNSET COMMISSION TO REVIEW AND MAXIMIZE**
17 **THE PERFORMANCE OF ALL FEDERAL AGEN-**
18 **CIES AND PROGRAMS.**

19 (a) SCHEDULE FOR REVIEW OF AGENCIES AND PRO-
20 GRAMS.—The President may submit to Congress for its
21 consideration a proposed schedule for reviewing the per-
22 formance of, and need for, executive branch agencies and
23 programs at least once every 10 years. In reviewing this
24 schedule, Congress shall follow the expedited review proce-
25 dures under section 5.

1 (b) ESTABLISHMENT OF COMMISSION.—There is es-
2 tablished the Sunset Commission.

3 (c) SUNSET OF EXECUTIVE BRANCH AGENCIES AND
4 PROGRAMS.—

5 (1) IN GENERAL.—Executive branch agencies
6 and programs shall—

7 (A) be reviewed by the Sunset Commission
8 according to the schedule authorized by Con-
9 gress under subsection (a); and

10 (B) terminate 2 years after the date that
11 the President submits the recommendations to
12 Congress on the agency or program, along with
13 the report of the Sunset Commission on the
14 agency or program, unless the agency or pro-
15 gram is reauthorized by law after receiving the
16 President's recommendations.

17 (2) EXTENSION.—The deadline for termination
18 of an agency or program may be extended for an ad-
19 ditional 2 years after the date described under para-
20 graph (1) if Congress enacts legislation extending
21 such deadline.

22 (d) MEMBERSHIP, POWERS, AND OTHER MAT-
23 TERS.—

24 (1) MEMBERSHIP.—

1 (A) IN GENERAL.—The Sunset Commis-
2 sion shall be comprised of 7 members, who shall
3 be appointed within 180 days after the date of
4 enactment of this Act.

5 (B) APPOINTMENTS.—The President shall
6 appoint the 7 members of the Sunset Commis-
7 sion as follows:

8 (i) One in consultation with the Ma-
9 jority Leader of the Senate.

10 (ii) One in consultation with the Mi-
11 nority Leader of the Senate.

12 (iii) One in consultation with the
13 Speaker of the House of Representatives.

14 (iv) One in consultation with the Mi-
15 nority Leader of the House of Representa-
16 tives.

17 (v) Three other members.

18 (C) CHAIR AND VICE CHAIR.—The Presi-
19 dent shall designate 1 member of the Sunset
20 Commission to serve as Chair and 1 member as
21 Vice Chair.

22 (D) LENGTH OF SERVICE.—The members
23 of the Sunset Commission shall serve at the
24 pleasure of the President. Each member shall

1 serve for a term not to exceed 3 years, unless
2 reappointed by the President.

3 (E) VACANCIES.—Any vacancy on the
4 Commission shall be filled in the manner in
5 which the original appointment was made.

6 (2) POWERS.—

7 (A) OBTAINING INFORMATION FROM FED-
8 ERAL AGENCIES.—

9 (i) IN GENERAL.—The Sunset Com-
10 mission may secure directly from any exec-
11 utive department, bureau, agency, board,
12 commission, office, independent establish-
13 ment, or instrumentality of the United
14 States Government, information, sugges-
15 tions, estimates, and statistics for the pur-
16 pose of this Act. Each department, bureau,
17 agency, board, commission, office, inde-
18 pendent establishment, or instrumentality
19 shall, to the extent authorized by law, fur-
20 nish such information, suggestions, esti-
21 mates, and statistics directly to the Com-
22 mission, upon request made by the Chair
23 or any other member designated by a ma-
24 jority of the Commission.

1 (ii) RECEIPT, HANDLING, STORAGE,
2 AND DISSEMINATION.—Information shall
3 only be received, handled, stored, and dis-
4 seminated by members of the Commission
5 and its staff consistent with all applicable
6 statutes, regulations, and Executive orders.

7 (B) CONTRACTING AUTHORITY.—The Sun-
8 set Commission may contract with and com-
9 pensate government and private agencies or
10 persons for services without regard to section
11 3709 of the Revised Statutes (41 U.S.C. 5).

12 (3) PUBLIC HEARINGS AND MEETINGS.—

13 (A) PUBLIC HEARINGS.—The Sunset Com-
14 mission shall hold public hearings and meetings
15 to the extent appropriate. Any such public ses-
16 sions shall be conducted in a manner consistent
17 with the protection of information provided to
18 or developed for or by the Commission as re-
19 quired by any applicable statute, regulation, or
20 Executive Order.

21 (B) NONAPPLICABILITY OF FEDERAL AD-
22 VISORY COMMITTEE ACT.—The Federal Advi-
23 sory Committee Act (5 U.S.C. App) shall not
24 apply to the Sunset Commission.

25 (4) INTERNAL PROCEDURES.—

1 (A) MEETINGS.—The Sunset Commission
2 shall meet periodically at the call of the Chair.
3 Such meetings may include public hearings and
4 sessions as authorized by paragraph (2)(A).

5 (B) QUORUM.—Four members of the Sun-
6 set Commission shall constitute a quorum but a
7 lesser number may hold hearings.

8 (5) PERSONNEL MATTERS.—

9 (A) TRAVEL EXPENSES.—The members of
10 the Commission shall be allowed travel ex-
11 penses, including per diem in lieu of subsist-
12 ence, at rates authorized for employees of agen-
13 cies under subchapter I of chapter 57 of title 5,
14 United States Code, while away from their
15 homes or regular places of business in the per-
16 formance of services for the Commission.

17 (B) DIRECTOR.—The Chair of the Com-
18 mission may, without regard to the civil service
19 laws and regulations, appoint and terminate a
20 Director for the Commission. The Director shall
21 be paid at a rate not to exceed the level II of
22 the Executive Schedule.

23 (C) STAFF.—The Director may appoint
24 and fix the compensation of additional per-
25 sonnel without regard to chapter 51 and sub-

1 chapter III of chapter 53 of title 5, United
2 States Code, relating to classification of posi-
3 tions and General Schedule pay rates, except
4 that the rate of pay for the Director and other
5 personnel may not exceed level II of the Execu-
6 tive Schedule

7 (D) APPLICABILITY OF CERTAIN CIVIL
8 SERVICE LAWS.—The Director and any staff of
9 the Commission shall be employees under sec-
10 tion 2105 of title 5, United States Code, for
11 purposes including chapters 63, 81, 83, 84, 85,
12 87, 89, and 90 of that title.

13 (E) DETAIL OF GOVERNMENT EMPLOY-
14 EES.—Any Federal Government employee may
15 be detailed to the Commission without reim-
16 bursement, and such detail shall be without
17 interruption or loss of civil service status or
18 privilege.

19 (F) PROCUREMENT OF TEMPORARY AND
20 INTERMITTENT SERVICES.—The Chair of the
21 Sunset Commission may procure temporary and
22 intermittent services under section 3109(b) of
23 title 5, United States Code, at rates for individ-
24 uals which do not exceed the daily equivalent of
25 the annual rate of basic pay prescribed for level

1 II of the Executive Schedule under section
2 5316 of such title.

3 (6) OTHER ADMINISTRATIVE MATTERS.—

4 (A) POSTAL AND PRINTING SERVICES.—

5 The Sunset Commission may use the United
6 States mails and obtain printing and binding
7 services in the same manner and under the
8 same conditions as other departments and
9 agencies of the United States.

10 (B) ADMINISTRATIVE SUPPORT SERV-

11 ICES.—Upon the request of the Sunset Com-
12 mission, the Administrator of General Services
13 shall provide to the Sunset Commission, on a
14 reimbursable basis, the administrative support
15 services necessary for the Sunset Commission to
16 carry out its duties under this Act.

17 (C) AUTHORIZATION OF APPROPRIA-

18 TIONS.—Such sums as may be necessary are
19 authorized to be appropriated for the purposes
20 of carrying out the duties of the Sunset Com-
21 mission under this Act. Such funds shall remain
22 available until expended.

23 (7) SUNSET OF COMMISSION.—The Sunset

24 Commission shall terminate on December 31, 2026,
25 unless reauthorized in law by Congress.

1 (e) REVIEW OF EFFICIENCY AND NEED FOR EXECU-
2 TIVE BRANCH AGENCIES AND PROGRAMS.—

3 (1) IN GENERAL.—The Sunset Commission
4 shall review agencies and programs in accordance
5 with the criteria described under subsection (f). The
6 Sunset Commission shall consider recommendations
7 made by the President to the Commission for im-
8 proving the performance of the agencies or programs
9 being considered.

10 (2) USE OF EVALUATIONS AND ASSESS-
11 MENTS.—In its deliberations, the Sunset Commis-
12 sion may consider any publicly available agency or
13 program evaluations and assessments, including
14 those that the Office of Management and Budget
15 has undertaken in consultation with the affected
16 agencies of the Federal Government. Such Office of
17 Management and Budget assessments shall evaluate
18 the purpose, design, strategic plan, management,
19 and results of the program, and such other matters
20 as the Director of the Office of Management and
21 Budget considers appropriate, as well as make rec-
22 ommendations to improve the efficiency and effec-
23 tiveness of the assessed programs.

24 (3) RECOMMENDATIONS; REPORT TO THE
25 PRESIDENT.—The Sunset Commission shall submit

1 to the President not later than August 1 of each
2 year a report containing—

3 (A) its assessment of each agency and pro-
4 gram reviewed during the preceding 12 months
5 under the schedule authorized by Congress
6 under subsection (a); and

7 (B) its recommendations on how to im-
8 prove the results that each agency and program
9 achieves and whether to abolish any agency or
10 program.

11 (4) DRAFT LEGISLATION.—

12 (A) SUBMISSION TO THE PRESIDENT.—
13 The Sunset Commission shall submit to the
14 President with its report a draft of any pro-
15 posed legislation needed to carry out its rec-
16 ommendations.

17 (B) SUBMISSION TO CONGRESS.—The
18 President may submit to Congress draft legisla-
19 tion needed to accomplish the recommendations
20 of the Sunset Commission with any revisions
21 the President believes are necessary to improve
22 the performance of the assessed agencies or
23 programs.

24 (5) PROPOSALS TO TERMINATE AGENCIES OR
25 PROGRAMS.—Before recommending the termination

1 of any agency or program, the Sunset Commission
2 should, as it considers appropriate—

3 (A) conduct public hearings on the merits
4 of retaining the agency or program;

5 (B) provide an opportunity for public com-
6 ment on the option of terminating the agency
7 or program;

8 (C) offer the affected agency an oppor-
9 tunity to comment and to provide information
10 supporting its views;

11 (D) review the assessments described
12 under subsection (e)(2); and

13 (E) consult with the Government Account-
14 ability Office, the relevant Inspectors General,
15 and the relevant committees of Congress.

16 (f) CRITERIA FOR REVIEW.—The Sunset Commission
17 shall use the following criteria to evaluate each agency or
18 program:

19 (1) Whether the agency or program as carried
20 out by the agency is cost-effective and achieves its
21 stated purpose of goals.

22 (2) The extent to which any trends, develop-
23 ments, or emerging conditions affect the need to
24 change the mission of the agency or program or the

1 way that the mission is being carried out by the
2 agency.

3 (3) The extent to which the agency or program
4 duplicates or conflicts with other Federal agencies,
5 State and local government, or the private sector.

6 (4) The extent to which the agency coordinates
7 effectively with State and local governments in per-
8 forming the functions of the program.

9 (5) The extent to which changes in the author-
10 izing statutes of the agency or program would im-
11 prove the performance of the agency or program.

12 (6) The extent to which changes in the manage-
13 ment structure of the agency or program or its
14 placement in the executive branch are needed to im-
15 prove the overall efficiency, effectiveness, or account-
16 ability of executive branch operations.

17 (g) AGENCY AND PROGRAM INVENTORY.—

18 (1) PREPARATION.—Within 6 months after the
19 date of enactment of this Act, the Director of Con-
20 gressional Research Service, with the assistance of
21 the Comptroller General, shall prepare an inventory
22 of all executive branch agencies and programs. Six
23 months before the date on which the Sunset Com-
24 mission is scheduled to begin its review of an agency
25 or program, the Director of the Congressional Re-

1 search Service, with the assistance of the Comp-
2 troller General, shall update the section of the inven-
3 tory pertaining to that agency or program.

4 (2) PURPOSE.—The purpose of the agency and
5 program inventory is to advise and assist the Sunset
6 Commission, the President, and Congress in car-
7 rying out the requirements of this Act. Such inven-
8 tory shall not in any way bind Congress or the
9 President with respect to their responsibilities under
10 this Act.

11 (3) INVENTORY CONTENT.—The agency and
12 program inventory shall include for each agency and
13 program a list of citations of all authorizing statutes
14 of the agency or program.

15 **SEC. 5. EXPEDITED CONGRESSIONAL REVIEW PROCE-**
16 **DURES.**

17 (a) DEFINITIONS.—In this section:

18 (1) RESOLUTION.—The term “resolution”
19 means only a joint resolution that—

20 (A) is introduced within the 10 legislative
21 days beginning on the date on which the Presi-
22 dent transmits a proposal to Congress under
23 this Act;

24 (B) does not have a preamble;

1 (C) the title of which is as follows: “Joint
 2 resolution approving the reorganization pro-
 3 posals of the President under the Government
 4 Reorganization and Program Performance Im-
 5 provement Act of 2005”;

6 (D) the matter after the resolving clause of
 7 which is as follows: “That Congress approves
 8 the reorganization proposals of the President,
 9 as follows, that were transmitted on _____
 10 under the Government Reorganization and Pro-
 11 gram Performance Improvement Act of 2005:”,
 12 the blank space being filled in with the appro-
 13 priate date; and

14 (E) the remaining text which consists of
 15 the complete text of the President’s legislative
 16 proposals submitted.

17 (2) LEGISLATIVE DAY.—For the purposes of
 18 this section, the term “legislative day” refers to any
 19 day on which either House of Congress is in session.

20 (b) INTRODUCTION OF RESOLUTION OF AP-
 21 PROVAL.—In order for the resolution to be considered
 22 under the procedures under this section, the resolution
 23 shall be consistent with this Act and shall be introduced
 24 no later than 10 legislative days after the President trans-
 25 mits the legislative proposals under this Act.

1 (c) REFERRAL OF RESOLUTION OF APPROVAL.—A
2 resolution of approval for the President’s legislative pro-
3 posals transmitted under this Act shall be referred to the
4 Committee on Homeland Security and Governmental Af-
5 fairs in the Senate and the Committee on Government Re-
6 form in the House of Representatives.

7 (d) CONSIDERATION IN THE HOUSE OF REPRESENT-
8 ATIVES.—

9 (1) REPORT OR DISCHARGE.—The Committee
10 on Government Reform shall report the resolution
11 without amendment, and with or without rec-
12 ommendation, not later than the 30th legislative day
13 after the date of its introduction. If the committee
14 fails to report the resolution within that period, it is
15 thereafter in order for a Member to move that the
16 House discharge the committee from further consid-
17 eration of the resolution. A motion to discharge may
18 be made only by a Member favoring the resolution
19 (but only at a time or place designated by the
20 Speaker in the legislative schedule of the day after
21 the calendar day on which the Member offering the
22 motion announces to the House their intention to do
23 so and the form of the motion). The motion is privi-
24 leged. Debate thereon shall be limited to not more
25 than 1 hour, the time to be divided in the House

1 equally between a proponent and an opponent. The
2 previous question shall be considered as ordered on
3 the motion to its adoption without intervening mo-
4 tion. A motion to reconsider the vote by which the
5 motion is agreed to or disagreed to shall not be in
6 order.

7 (2) CONSIDERATION.—After the resolution is
8 reported or the committee has been discharged from
9 further consideration, it shall be in order to consider
10 the resolution in the House. If the resolution is re-
11 ported and the report has been available for at least
12 1 calendar day, all points of order against the reso-
13 lution and against consideration of the resolution are
14 waived. If the committee has been discharged from
15 further consideration of the resolution, all points of
16 order against the resolution and against consider-
17 ation of the resolution are waived. The motion is
18 privileged. A motion to reconsider the vote by which
19 the motion is agreed to or disagreed to shall not be
20 in order. During consideration of the resolution in
21 the House, the first reading of the bill shall be dis-
22 pensated with. Debate on the resolution shall be con-
23 fined to the resolution, and shall not exceed 1 hour
24 equally divided and controlled by a proponent and
25 an opponent of the resolution. Amendments to the

1 resolution are not in order. Only 1 motion to rise
2 shall be in order, except if offered by the manager.
3 The previous question shall be considered as ordered
4 on the resolution without intervening motion. A mo-
5 tion to reconsider the vote on passage of the resolu-
6 tion shall not be in order.

7 (3) APPEALS.—Appeals from decisions of the
8 Chair regarding application of the rules of the
9 House of Representatives to the procedure relating
10 to the approval resolution shall be decided without
11 debate.

12 (4) CONSIDERATION OF SENATE MESSAGE.—
13 Consideration in the House of all motions or appeals
14 necessary to dispose of a message from the Senate
15 on the resolution shall be limited to not more than
16 1 hour. Debate on each motion shall be limited to
17 20 minutes. Debate on any appeal or point of order
18 that is submitted in connection with the disposition
19 of the Senate message shall be limited to 10 min-
20 utes. Any time for debate shall be equally divided
21 and controlled by the proponent and the majority
22 manager, unless the majority manager is a pro-
23 ponent of the motion, appeal, or point of order, in
24 which case the minority manager shall be in control
25 of the time in opposition.

1 (e) CONSIDERATION IN THE SENATE.—

2 (1) REPORT OR DISCHARGE.—The Committee
3 on Homeland Security and Governmental Affairs
4 shall report the resolution not later than the 30th
5 legislative day following the date of introduction of
6 the resolution. If the committee fails to report the
7 resolution within that period, the committee shall be
8 automatically discharged from further consideration
9 of the resolution and the resolution shall be placed
10 on the Calendar.

11 (2) RESOLUTION OF APPROVAL FROM HOUSE.—
12 When the Senate receives from the House of Rep-
13 resentatives the approval resolution, such resolution
14 shall not be referred to committee and shall be
15 placed on the calendar.

16 (3) MOTION NONDEBATABLE.—A motion to
17 proceed to consideration of the resolution under this
18 subsection shall not be debatable. It shall not be in
19 order to move to reconsider the vote by which the
20 motion to proceed was adopted or rejected, although
21 subsequent motions to proceed may be made under
22 this paragraph.

23 (4) LIMIT ON CONSIDERATION.—

24 (A) AMENDMENTS.—Amendments to the
25 resolution are not in order.

1 (B) CONSIDERATION.—After no more than
 2 10 hours of consideration of the resolution, the
 3 Senate shall proceed, without intervening action
 4 or debate, to vote on the final disposition there-
 5 of to the exclusion of all motions, except a mo-
 6 tion to reconsider or to table.

7 (C) EXTENSION.—A single motion to ex-
 8 tend the time for consideration under subpara-
 9 graph (B) for no more than an additional 5
 10 hours is in order before the expiration of such
 11 time and shall be decided without debate.

12 (D) DEBATE.—The time for debate on the
 13 resolution shall be equally divided between the
 14 Majority Leader and the Minority Leader or
 15 their designees.

16 (5) NO MOTION TO RECOMMIT.—A motion to
 17 recommit the resolution shall not be in order.

18 (6) CONSIDERATION OF HOUSE MESSAGE.—
 19 Consideration in the Senate of all motions or ap-
 20 peals necessary to dispose of a message from the
 21 House of Representatives on the resolution shall be
 22 limited to not more than 4 hours. Debate on each
 23 motion shall be limited to 30 minutes. Debate on
 24 any appeal or point of order that is submitted in
 25 connection with the disposition of the House mes-

1 sage shall be limited to 20 minutes. Any time for de-
 2 bate shall be equally divided and controlled by the
 3 proponent and the majority manager, unless the ma-
 4 jority manager is a proponent of the motion, appeal,
 5 or point of order, in which case the minority man-
 6 ager shall be in control of the time in opposition.

7 (f) RULES OF THE SENATE AND HOUSE.—This sec-
 8 tion is enacted by Congress—

9 (1) as an exercise of the rulemaking power of
 10 the Senate and House of Representatives, respec-
 11 tively, and as such it is deemed a part of the rules
 12 of each House, respectively, but applicable only with
 13 respect to the procedure to be followed in that
 14 House in the case of a resolution described in sub-
 15 section (a), and it supersedes other rules only to the
 16 extent that it is inconsistent with such rules; and

17 (2) with full recognition of the constitutional
 18 right of either House to change the rules (so far as
 19 relating to the procedure of that House) at any time,
 20 in the same manner, and to the same extent as in
 21 the case of any other rule of that House.

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